

SENATE BILL 2793
By Beavers

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to bail.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-201, is amended by designating the existing language of subsection (a) as subdivision (a)(1), and by adding new subdivisions thereto, as follows:

(2) If, prior to the expiration of the duration of the bail bond, the surety or bail agent deposits funds in the full amount of the bail bond into an escrow account, maintained by the court, then the original one hundred eighty (180) day period shall be extended by an additional one hundred eighty (180) days. Timely payment of these funds is a condition precedent to the one hundred eighty (180) day extension and shall not be waived by any court. The court may impose a fee of up to fifty dollars (\$50.00) for the cost of maintaining the escrow account. If within the extension period the bail bond is exonerated for any reason, the court shall within thirty (30) days of the entry of such order return to the party that deposited the funds the formerly deposited funds plus interest, if any.

(3) For good cause shown, the court in its discretion may remit to the surety all or part of the amount of the bond after deducting the costs of court and any reasonable necessary costs to the county for the return of the principal.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.